



STATE OF NEW JERSEY

Board of Public Utilities

Two Gateway Center

Newark, NJ 07102

CABLE TELEVISION

IN THE MATTER OF CLEAR CABLEVISION,)
INC. D/B/A ADELPHIA CABLE)
COMMUNICATIONS FOR APPROVAL OF THE)
FILINGS OF FCC FORM 1240, AN ANNUAL)
UPDATING OF THE MAXIMUM PERMITTED)
RATE FOR THE REGULATED BASIC CABLE)
SERVICE, AND IN CONNECTION)
THEREWITH FCC FORM 1205)
DETERMINING REGULATED EQUIPMENT)
AND INSTALLATION COSTS USING THE)
OPTIONAL EXPEDITED RATE)
PROCEDURES)

ORDER ADOPTING STIPULATION

DOCKET NOS. CR00040247
CR00040248

(SERVICE LIST ATTACHED)

BY THE BOARD:

On April 28, 2000, Clear Cablevision, Inc. d/b/a Adelphia Cable Communications ("Petitioner") filed Federal Communications Commission ("FCC") Form 1240, Docket Number CR00040247, seeking approval by the Board of Public Utilities ("Board") for an annual rate adjustment to its maximum permitted rates resulting from an adjustment for inflation, programming costs and copyright fees affecting the Stafford Township (Cedar Bonnet Island) subscribers, and Form 1205, Docket Number CR00040248, for regulated equipment and installation costs affecting all of its regulated New Jersey rate districts pursuant to the Cable Television Consumer Protection and Competition Act of 1992, 47 U.S.C. § 543 et seq., and provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq.

The Board, at its public meeting on January 10, 1996, in Docket Number CX95120636, approved the implementation of Optional Expedited Rate Procedures for the processing of certain filings made with the Office of Cable Television ("OCTV"). The intended purpose of these procedures is to grant final rates as quickly as possible to any cable company that chooses this process. In the spirit of cooperation based on the principles of Alternate Dispute Resolution ("ADR"), the discovery content is limited, thereby reducing the timeframe for settlement.

Petitioner chose to pursue its filings with the Board through the approved procedures. To that end, a pre-transmittal conference was held on May 31, 2000 and attended by representatives of the Petitioner, the Division of the Ratepayer Advocate and Board Staff. Petitioner agreed to waive its Office of Administrative Law ("OAL") litigation rights for these matters. It should be noted that Petitioner's waiver was a knowing, voluntary and intelligent waiver of its litigation

rights at the OAL and that the waiver did not constitute a circumvention of the FCC's rules nor did it affect Petitioner's right to appeal in that forum.

Petitioner notified its customers of the rate changes by way of newspaper announcements informing them of their opportunity to submit written comments to the Board for a period of thirty days. The notices appeared in the Beacons on June 29, 2000, the Ocean County Observer on June 23, 2000, and the Asbury Park Press on June 23, 2000.. During this time, no comments were received.

Upon review by Staff and the Ratepayer Advocate of the supporting documentation, schedules and other discovery requests, a settlement conference was held on June 19, 2000. On January 12, 2001, the parties entered into a Stipulation of Settlement.

The Board has reviewed the Stipulation and finds it to be reasonable, in the public interest and in accordance with the law. Therefore, the Board HEREBY ADOPTS the Stipulation of Settlement (attached hereto) as its own, incorporating by reference the terms and conditions therein as if fully set forth at length herein.

DATED: January 31, 2001

BOARD OF PUBLIC UTILITIES
BY:

(signed)

HERBERT H. TATE
PRESIDENT

(signed)

FREDERICK F. BUTLER
COMMISSIONER

ATTEST:

(signed)

FRANCES L. SMITH
BOARD SECRETARY

IN THE MATTER OF
CLEAR CABLE INC. D/B/A
ADELPHIA CABLE COMMUNICATIONS
FCC FORMS 1240 AND 1205 USING THE
OPTIONAL EXPEDITED RATE PROCEDURES

DOCKET NOS. CR00040247, CR00040248

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